



COMMONWEALTH OF KENTUCKY
Department of Public Protection
Office of Housing, Buildings and Construction
Division of Building Code Enforcement
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405

LOCAL BUILDING INSPECTION PROGRAM REQUIREMENTS

The Kentucky Revised Statutes (KRS198B) created the uniform, statewide building code within the boundaries of the Commonwealth and assigned specific enforcement responsibilities to each local government and to the Office of Housing, Buildings and Construction (OHBC). The Office of Housing, Buildings and Construction was formally known as the Department of Housing, Buildings and Construction and any reference to "the Department" shall also mean the Office of HBC.

The OHBC must be assured that local governments have sufficient equipment and qualified personnel to provide the level of inspection and/or plan review functions as outlined within the statutes. The following information and guidelines will be utilized by the OHBC to help local governments establish first time building inspection programs and to monitor existing programs. Each local government should complete the "Notice of Local Building Inspection Program" form and enter into a formal agreement with the department as described herein. Each local building inspection program should be re-examined and new documents filed, if there are alterations to the program or changes in the inspection personnel.

- 1. CERTIFIED BUILDING INSPECTOR:** The local government's inspection program shall include, as a minimum, a Certified Building Inspector, Level 1 and a Certified Electrical Inspector. The local government shall also employ or otherwise contract with other code enforcement personnel and support staff necessary to enforce the Kentucky Building Code (KBC) within the jurisdiction. The person performing plans review and the building inspections shall be certified by the department for the function being performed.
- 2. TESTING AND DUTIES OF INSPECTORS:** The scope of authority for each classification of inspector identified is specifically limited according to the following description of competency testing and training. Depending on the level of inspection responsibility, certification in more than one category may be required. The National Certification Program for Construction Code Inspectors (NCPCCI) examination modules are developed by the national code enforcement organizations. The examination modules provide nationally recognized evidence of competency and professionalism in construction code enforcement and shall be used to meet the module testing requirements. **NOTE:** Kentucky also accepts the equivalent International Code Council Building Inspector Certification.
 - A. ONE- & TWO-FAMILY ONLY:** If the inspector's duties only involve the inspection of single family dwellings, two-family dwellings or townhouses then certification as a One- and Two-Family Dwelling Inspector is required. The minimum certification requirements for this level are NCPCCI test modules 1A and 4A; completion of the orientation training and compliance with the requirements of 815 KAR 7:070.
 - B. MINIMUM JURISDICTION:** If inspector's duties involve all the occupancies listed in KRS 198B.060(2), certification as a Kentucky Certified Building Inspector, Level I, is required. Certification requirements for this level are NCPCCI test modules 1A, 4A, 1B and 3B; completion of the orientation training and compliance with the requirements of 815 KAR 7:070.
 - C. EXPANDED JURISDICTION:** If the local jurisdiction requests expanded jurisdiction and is granted jurisdiction of certain buildings, which would otherwise normally be handled by the state pursuant to KRS 198B.060(4), certification as a Certified Building Inspector, Level III, is required. Certification requirements for Level III inspectors are NCPCCI test modules 1A, 4A, 1B, 3B, 4B, 1C, 3C and 4C; completion of the orientation training; and compliance with the requirements of 815 KAR 7:070. The inspector shall have been certified in that capacity for a minimum of three years.
 - D. TRAINEES:** Trainees may also be utilized in a building inspection program; however trainees shall operate under the general supervision of a Kentucky Certified Building Inspector. Trainees shall not issue permits, construction document approval letters, inspection compliance letters or certificates of occupancy.

LOCAL BUILDING INSPECTION PROGRAM REQUIREMENTS – continued

- 3. LOCAL JURISDICTION (MINIMUM):** The statutory responsibility of the Local Building Inspection Department is also referred to as "Minimum Jurisdiction". The local building code official, if certified as Building Inspector, Level I, shall be responsible for the examination and approval of plans and specifications and the inspections necessary to determine compliance for buildings as listed in this section.
- A. Single family residences.** All site-built single family residences if local government has passed an ordinance requiring inspections of single family residences. Exception: Farm dwellings are exempt in accordance with the farmstead exemption and HUD/Manufactured homes are not subject to the Kentucky Residential Code.
 - B. In assembly occupancies.** All buildings classified as assembly occupancies, except churches as indicated in Paragraph D, having a capacity which does not exceed 100 persons and all non-church assembly buildings having 1,500 square feet (140 m²) or less of total floor area.
 - C. In business occupancies.** All buildings classified as business occupancies having a capacity that does not exceed 100 persons and all business occupancies having 10,000 square feet (930 m²) or less of total floor area.
 - D. In churches.** All church buildings having a capacity of 400 or less persons and all church buildings having 6,000 square feet (558 m²) or less of total floor area.
 - E. In factory or industrial occupancies.** All buildings classified as factory or industrial occupancies having a capacity that does not exceed 100 persons and all factory or industrial occupancies having 20,000 square feet (1860 m²) or less of total floor area.
 - F. In mercantile occupancies.** All mercantile occupancies having a capacity which does not exceed 100 persons and all mercantile occupancies having 3,000 square feet (280 m²) or less of total floor area.
 - G. In residential, storage or utility occupancies.** All buildings classified as residential (including two-family dwelling units), storage or utility occupancies as long as the buildings do not exceed three stories in height or 20,000 square feet (1860 m²) of total floor area.
 - H. State buildings exempt.** Buildings owned by the Commonwealth shall not be subject to local plan review, inspection or approval, regardless of size, occupant load or occupancy classification.
- 4. DETACHED SINGLE FAMILY DWELLING OPTION:** The local building inspection program may include the plan review and inspection of all detached single family dwellings that are not HUD/Manufactured homes or farm dwellings if the local government has an ordinance to establish an inspection program for detached single family dwellings. The local building department may issue permits for the foundation system and other on-site construction related to modular home installations upon notification from the Office for each instance. Although the enforcement of the Kentucky Residential Code on single-family dwellings is a local option, the local government's agreement for jurisdiction shall indicate the local government's level of code enforcement for single-family dwellings. The Kentucky Residential Code is applicable to all single family dwelling construction even if the local government has opted to not inspect those dwellings. The Office recommends that all local governments establish a complete inspection program for single-family dwellings.

LOCAL BUILDING INSPECTION PROGRAM REQUIREMENTS – continued

5. **SCHEDULE OF FEES:** Each local government shall adopt its own reasonable schedule of fees for the plan review and inspection functions performed under the provisions of KRS 198B.060. The fees shall be designed to fully cover the cost of the service performed but shall not exceed the cost of the service performed. The building permit fees established for construction projects under state jurisdiction shall be adjusted (reduced) to reflect that no plan review or building code inspection functions will be provided by the local government. Each local government's Notification of Local Building Inspection Program shall include a copy of the schedule of fees as adopted by the local legislative body.
6. **ACCOUNTING FOR FEES:** The building code official shall keep an accurate account of all plan review and inspection fees. The fees shall be deposited monthly in the local government's treasury or otherwise disposed of as required by law.
7. **LOCAL APPEALS BOARDS:** The mayor or county judge/executive of a local government, that has established the minimum or expanded jurisdiction may establish a local appeals board in accordance with KRS 198B.070. The mayor or county judge/executive may upon approval of the local legislative body, appoint an appeals board, consisting of five (5) technically qualified persons with professional experience related to the building industry, to hear appeals from the decisions of the local building official. The local government's *"Notification of Local Building Inspection Program"* shall indicate the local government's intention to have or not to have a local appeals board. Where no local appeals board exists, the Board of Housing shall serve to hear appeals directly from any party aggrieved by a decision by the local building code official. Where a local board does exist, the Office shall be notified of the current name of each member and the contact information. **NOTE:** The cost of any appeal forwarded to the Board of Housing Appeals Committee because there is no local appeals board shall be borne by the local government.
8. **ENFORCEMENT BY LOCAL GOVERNMENT:** Electrical installations shall be inspected and approved by a certified electrical inspector designated by the local government, (unless the inspection is performed by a state inspector on state property), pursuant to KRS 227.489 and 815 KAR 35:015. The plumbing installation shall be inspected and approved pursuant to KRS Chapter 318 and the Kentucky State Plumbing Code (815 KAR 20:010-060). Other permits and inspections of single-family dwellings, including the installation of HUD/Manufactured homes and electrical inspections on farms shall be performed only if required by local ordinance.
9. **GENERAL REQUIREMENTS:** The local building inspector must have adequate means of communicating with the public and contractors, such as telephone line(s), cellular telephone, fax machine or electronic messaging. He/She may be provided with a vehicle or he/she may provide their personal vehicle. He/She should also be provided with the necessary forms, notebooks, and instruments associated with building inspections in his jurisdiction and copies of all governing building codes and referenced standards.
10. **NOTICE OF LOCAL BUILDING INSPECTION PROGRAM / FORMAL AGREEMENTS:** In order for the Office to maintain an accurate roster of all local building inspection programs, each local government shall send a completed *"Notice of Local Building Inspection Program"* form to the Office. The Office will prepare a formal agreement that specifies the primary jurisdiction of each agency to provide clarity for the public and to avoid duplication of services.



NOTICE OF LOCAL BUILDING INSPECTION PROGRAM

NEW PROGRAM ☐

UPDATE TO EXISTING PROGRAM ☐

Name of Jurisdiction

Today's Date

Chief Appointing Authority (Mayor or County Judge Executive) PRINTED NAME & SIGNATURE

INSPECTION PERSONNEL

CERTIFICATION LEVEL: 1 & 2 Family (only) ☐, Level I ☐, Level II ☐, Level III ☐ or None ☐

Name of designated Building Inspector License Number Years certified

Name of designated Building Inspector License Number Years certified

Name of designated **Electrical Inspector** License Number Years certified

List other associated building inspection personnel. (Use additional pages if necessary)

Name Job title Years employed

Name Job title Years employed

Local appeals Board: ☐ YES ☐ NO If "Yes" is checked; a copy of the local ordinance creating the local appeals board and the current membership of the **Appeals Board** is included as EXHIBIT #_____. If "No" is checked, all appeals shall be referred to the Kentucky Board of Housing Appeals Committee **AND** the cost of the appeal shall be borne by the local government.

Detached Single Family Dwelling Option: ☐ YES ☐ NO If "Yes" is checked, a copy of the ordinances creating the single family dwelling inspection program or requiring electrical or other types of permits and inspections is included as EXHIBIT #_____.

Schedule of Fees: A copy of the local ordinance creating a fee schedule and the schedule of fees is included with this application as EXHIBIT #_____.

Official Contact: When referring persons to this agency or sending correspondence or other related information, contact shall be made with the following:

Name of Chief Building Official

Title

Name of Department

Business Phone

No. Street, Highway or other mailing address

Business Fax

City, State & zip code

E-Mail Address
(if applicable)

RETURN COMPLETED FORM TO:

Office of Housing, Buildings and Construction
Division of Building Code Enforcement

101 Sea Hero Road, Suite 100

Frankfort, Kentucky 40601-5405 Fax: 502-573-1059

